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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/532,146	04/20/2005	Takumi Ikeda	MAT-8688US	6489

23122 7590 05/02/2007  
RATNERPRESTIA  
P O BOX 980  
VALLEY FORGE, PA 19482-0980

EXAMINER
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CHOW, CHARLES CHIANG

ART UNIT	PAPER NUMBER
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2618

MAIL DATE	DELIVERY MODE
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05/02/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/532,146

Applicant(s)

IKEDA, TAKUMI

Examiner

Charles Chow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

### Detailed Action

1. This office action is for amendment received on 2/16/2007.

### Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 4-5, 12, 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olson [ US 2003/0197,594 A1] in view of Siegel [ US 2003/0043,056 A1].

**For claim 1**, Olson teaches an information transmitting apparatus [ wireless control system 12 in Fig. 2] comprising

an information storage part for storing information [ the memory stored with control data message configured to wirelessly control a plurality of home electronic systems, paragraph 0009],

which includes an authentication identifier which identifies the information transmitting apparatus [ the transmitted control data from 12 is a fixed code, rolling code or other cryptographically encoded control code in paragraph 0028, as the authentication identifier; further the wireless controlling system 12, Fig. 2, is for security gate control system, home security system, garage door opener, paragraph 0024. It is obvious that the wireless control 12 has the authentication identifier for identifying itself as the information transmitting apparatus, due to the security],

a sensing part [ distance sensing 52] for sensing an effect of movement of the information transmitting apparatus [ sensing the proximity between 12 and 18 in paragraph 0030; the distance/speed sensor, paragraph 0027, as the sensing an effect of movement of

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the transmitting apparatus 12, for the effect of movement, proximity; the automatically transmit wireless control data from 12 to 18 based on stored training heading, distance, information, for the changing the transmittable distance based on the proximity from 12 to 18 in Fig. 5 & paragraph 0034-0035].

Olson fails to teach an information transmission part for changing a characteristic of a signal that affects the distance the information is transmitted based on the movement, and for transmitting the information which includes the authentication identifier.

Siegel teaches an information transmission part for the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement, and for transmitting the information which includes the authentication identifier [ the emergency vehicle calculates the strength, changes a characteristic of a signal, and calculates the approximate transmission distance of the signal based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036, as the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement; the emergency vehicle for transmitting uniquely identified individual signal stamp in abstract, paragraph 0012, for the authentication identifier], in order to improve the signal transmission based on the transmitting distance, by varying the transmission distance & signal strength. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's transmission distance & calculated signal strength, in order to improve the signal transmission based on the transmitting distance, by varying the transmission distance & signal strength.

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**For claim 4**, Olson teaches the information transmitting apparatus [Fig. 2], wherein the information transmission part divides the effect of movement into a plurality of ranks [ the control 30 of the transmission part divides the effect of movement into plurality of ranks, headings & distances in Fig. 5, paragraph 0034].

Olson fails to teach the predetermined power according to each one of the ranks. Siegel teaches the transmits the stored information by a predetermined power according to each one of the ranks [ the calculated strength of the transmission signal and the transmission distance, based on the speed of the emergency vehicle, paragraph 0014, 0032; the varying transmission distance in paragraph 0036 as the rank; the calculated strength is the predetermined power], for providing the signal strength for the best transmission distance based on the vehicle speed. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's calculated strength, in order to provide the signal strength for the best transmission distance.

**For claim 5**, Olson teaches the information transmitting apparatus [ 12 in Fig. 2], wherein the information transmission part divides the effect of movement into a plurality of ranks [ control 30 of the transmission part divides the mobile condition into plurality of ranks, headings & distances in Fig. 5, paragraph 0034; automatically transmit wireless control data from 12 to 18 based on stored training heading, distance, information, for the changing the transmittable distance based on the mobile condition in Fig. 5 & paragraph 0030, 0034-0035].

Olson fails to teach the changes the characteristic of the signal that affects the distance the stored information is transmitted in each one of the ranks.

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Siegel teaches the changes the characteristic of the signal that affects the distance the stored information is transmitted in each one of the ranks [ the emergency vehicle calculates the strength, changes a characteristic of the signal, and the approximate transmission distance of the signal, based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036], using the same reasoning in claim 1 above for combining to Olson.

**For claim 12**, Olson teaches a computer readable medium, including a program for causing a computer to execute the steps of [ the software subroutine in paragraph 0039, 0050, memory has the program for control the operation in paragraph 0025; the subroutine for calculating the distance in step 230 in Fig. 7-8] ;

storing information [ control data message in memory of a transmitter for wirelessly controlling of a plurality of home electronic systems, paragraph 0009],

which includes an authentication identifier which identifies the information transmitting apparatus [ the wireless control 12 transmits the control data which is a rolling code or other cryptographically encoded control code in paragraph 0028, as the authentication identifier; further the wireless controlling system 12, Fig. 2, is for security gate control system, home security system, garage door opener, paragraph 0024. It is obvious the wireless control 12, for the security systems, garage door opener, has the stored authentication identifier for identifying itself as the information transmitting apparatus],

a sensing part [ distance sensing 52] for sensing an effect of movement of the information transmitting apparatus [ sensing the proximity between 12 and 18 in paragraph 0030; the distance/speed sensor, paragraph 0027, as the sensing an effect of movement of the transmitting apparatus 12, for the effect of movement, proximity; the automatically

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transmit wireless control data from 12 to 18 based on stored training heading, distance, information, for the changing the transmittable distance based on the proximity from 12 to 18 in Fig. 5 & paragraph 0034-0035].

Olson fails to teach the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement, and for transmitting the information which includes the authentication identifier.

Siegel teaches the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement, and for transmitting the information which includes the authentication identifier [ the emergency vehicle calculates the strength, changes a characteristic of a signal, and the approximate transmission distance of the signal based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036, as the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement; the emergency vehicle for transmitting uniquely identified individual signal stamp in abstract, paragraph 0012, for the authentication identifier ], in order to save the power consumption, by reducing the strength of the transmit signal based on the transmission distance. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's transmission distance & reducing signal strength, in order to save power consumption.

**For claims 14, 15,** Olson teaches the computer readable medium [ paragraph 0039, 0050, 0025, Fig. 7-11], wherein the step of sensing includes a step of sensing a moving speed of the information transmitting apparatus [ step 66, sensing distance traveled from 52 in paragraph 0032; 52 detects velocity for calculating distance traveled, paragraph 0027].

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Olson fails to teach the step of transmitting [ the transmit command in step 290, Fig. 7 ], but fail to teach the changing the characteristic of the signal that affects the distance of the information is transmitted based on the speed before transmitting the information.

Siegel teaches the changing the characteristic of the signal that affects the distance of the information is transmitted based on the speed before transmitting the information

[ the emergency vehicle calculates the strength, changes a characteristic of a signal, and the approximate transmission distance of the signal based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1, before transmitting the information; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036, as the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement; the emergency vehicle for transmitting uniquely identified individual signal stamp in abstract, paragraph 0012, for the authentication identifier ], in order to save the power consumption, by reducing the strength of the transmit signal based on the transmission distance.

Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's transmission distance & reducing signal strength, in order to save power consumption.

3. Claims 2, 6, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olson in view of Siegel, as applied to claims 1, 12 above, and further in view of Westerlage et al. [ US 5,970,481].

**For claim 2**, Olson teaches the information transmitting apparatus [ 12 in Fig. 2], wherein the effect of movement is at least one effect of movement selected from the group



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[ the compare/identify, select, the heading, distance in Fig. 5 & the selecting proximity for transmitting in paragraph 0034-0038 ] consisting of a moving speed [ the detected different vehicle velocity for distance, paragraph 0027], a traveling distance [calculate the traveled distance, 0027], and

a traveling route of the information transmitting apparatus [ paragraph 0033], wherein the sensing part [ 52 & subroutine, step 230, Fig. 7-8] senses the effect of movement [52 detecting the speed in paragraph 0027; the sensing heading & distance, paragraph 0036, in Fig. 5, paragraph 0034].

Olson detects the vehicle speed [ paragraph 0027]. Olson & Siegel fail to teach the moving acceleration.

Westerlage et al. [Westerlage] teaches the moving acceleration [ detecting the acceleration of mobile 22 in vehicle 20 for current position information in col. 4, lines 21-31 & transmitting vehicle information, traveled distance, to remote location, col. 4, lines 44-67; 22, Fig. 5-6], for determining of the mobile vehicle current position. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson, Siegel with Westerlage's acceleration information, in order to determine the mobile vehicle current position.

**For claim 6**, Olson teaches the information transmitting apparatus [ 12 in Fig. 2], wherein the sensing part [ 52] senses, at least one effect of movement selected from the group [ the compare/identify, select, the heading, distance in Fig. 5, paragraph 0036 & the selecting proximity for automatic transmitting in paragraph 0037 ] consisting of a moving speed [ the detected different vehicle velocity for distance, paragraph 0027], a traveling distance [calculate the traveled distance, 0027], and a traveling route of the information transmitting apparatus [ paragraph 0033],

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wherein the information transmission part [ the wireless transmitter 54/control 30 ] divides the effect of movement into a plurality of ranks [ the plurality of heading with corresponding distance in Fig. 5, paragraph 0034].

Olson teaches the transmitting control data based on the proximity & predetermined distance [ paragraph 0035 ], but fails to teach the changes the characteristic of the signal that affect the distance the stored information is transmitted in each one of the ranks.

Siegel teaches the changes the characteristic of the signal that affect the distance the stored information is transmitted in each one of the ranks [ the emergency vehicle calculates the strength, changes a characteristic of a signal, and the approximate transmission distance of the signal based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036; transmitting according to each transmitting distance, in the ranks of different transmission distance, paragraph 0036/0014].

Olson teaches the detecting of vehicle speed [paragraph 0027] but fails to teach the moving acceleration.

Westerlage et al. [Westerlage] teaches the moving acceleration [ detecting the acceleration of mobile 22 in vehicle 20 for current position information in col. 4, lines 21-31 & transmitting vehicle information, traveled distance, to remote location, col. 4, lines 44-67; 22, Fig. 5-6], for determining of the mobile vehicle current position. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson, Siegel with Westerlage's acceleration information, in order to determine the mobile vehicle current position.

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**For claim 13**, Olson teaches the computer readable medium [ paragraph 0039, 0050, 0025, Fig. 7-11], wherein the step of sensing to sense at least one effect of movement selected from the group [ the compare/identify, select, the heading, distance in Fig. 5, paragraph 0036 & the selecting proximity for automatic transmitting in paragraph 0037 ] consisting of a moving speed [ the detected different vehicle velocity for distance, paragraph 0027], a traveling distance [calculate the traveled distance, 0027], and a traveling route of the information transmitting apparatus [ paragraph 0033].

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olson in view of Siegel, as applied to claim 1, and further in view of Strierner [ US 2003/0195,814 A1 ].

**For claim 3** Olson teaches the information transmitting apparatus [ the wireless control 12 in Fig. 2, or other wireless signal, paragraph 0024]. Olson, Siegel fail to teach the Bluetooth standard.

Strierner teaches the wherein the information transmission part is a communication means in accordance with the Bluetooth standard [ the transmitter of the UPS vehicle using Bluetooth standard for communicating with a wireless device inside customer house for confirming of the product delivery, when in range of physical location of customer, confirming customized delivery [paragraph 0045-0046]; confirming required action according to received message [ paragraph 0042; controlling the print action by mobile phone when printer is in range in paragraph 0023]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to Olson, Siegel with Strierner's transmitter using Bluetooth standard, in order to confirm the required action according to the received message.

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5. Claims 7-9, 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Olson in view of Siegel and Fitzgibbon et al. [ US 2003/0210,131 A1 ].

**For claim 7**, Olson teaches an operation apparatus [ home electronic device 18 in Fig. 2] comprising an information reception part [ antenna 28 of home electronic system 18] for receiving information from an information transmitting apparatus [ 18 receives control data from 54 of 12, paragraph 0028],

the information including an authentication identifier which identifies the information transmitting apparatus [ the transmitted control data from 12 is a fixed code, rolling code or other cryptographically encoded control code in paragraph 0028, as the authentication identifier; further the wireless controlling system 12, Fig. 2, is for security gate control system, home security system, garage door opener, paragraph 0024. It is obvious that the wireless control 12 has the authentication identifier for identifying itself as the information transmitting apparatus, due to the security ],

an information storage part for storing information which includes the authentication identifier [ the memory stored with control data configured for different the wireless home electronic systems, paragraph 0009; the control data is a fixed code, rolling code or other cryptographically encoded control code in paragraph 0028, for identifying 12 due to security],

a sensing part [ distance sensing 52] for sensing an effect of movement of the information transmitting apparatus [ sensing the proximity between 12 and 18 in paragraph 0030; sensing the distance/speed by sensor, paragraph 0027, as the sensing an effect of movement of the transmitting apparatus 12, for the effect of movement ].

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Olson fails to teach an information transmitting part for changing a characteristic of a signal that affects the distance the information is transmitted based on the effect of movement, and for transmitting the information which includes the authentication identifier.

Siegel teaches an information transmitting part for changing a characteristic of a signal that affects the distance the information is transmitted based on the effect of movement, and for transmitting the information which includes the authentication identifier [ the emergency vehicle calculates the strength, changes a characteristic of a signal, and the approximate transmission distance of the signal based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036, as the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement; the emergency vehicle for transmitting uniquely identified individual signal stamp in abstract, paragraph 0012, for the authentication identifier], in order to improve the signal transmission based on the transmitting distance, by varying the transmission distance & signal strength. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's transmission distance & calculated signal strength, in order to improve the signal transmission based on the transmitting distance, by varying the transmission distance & signal strength.

Olson, Siegel teaches the transmitted information has the authentication identifier [ the control data comprising fixed code or rolling code or other cryptographically encoded control code from 12 to 18, paragraph 0028], but fails to teach the authentication part; and an operation part for carrying out a predetermined action when the authentication part issues a permission of authentication.

Fitzgibbon et al. [Fitzgibbon] teaches an authentication part [ 150 ] for carrying out authentication based on the received information [ control circuit 150 authenticates users, paragraph 0041-0042, receiver 146 in paragraph 0040]; and an operation part for carrying out a predetermined action when the authentication part issues a permission of authentication [ open, close, the garage door, paragraph 0042], to verify the authorized user for using the door control system. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson, Siegel with Fitzgibbon' authenticating user, to verify the authorized user for using the door control system.

**For claim 8**, Olson teaches the operation apparatus [ wireless control system in Fig. 2], wherein the apparatus is an automatic door and the operation part opens the door [ Whisper Drive garage door opener, paragraph 0024].

**For claim 9**, Olson teaches an information processing system [ wireless control system in Fig. 2] comprising

an information transmitting apparatus [ 12, 54] including an information storage part for storing information including an authentication identifier which identifies the information transmitting apparatus [ the memory stored with control data configured for different the wireless home electronic systems, for identifying 12, paragraph 0009; the control data is a fixed code, rolling code or other cryptographically encoded control code in paragraph 0028, for identifying 12 due to security],

a sensing part [ distance sensing 52] for sensing an effect of movement of the information transmitting apparatus [ sensing the proximity between 12 and 18 in paragraph 0030; sensing the distance/speed by sensor, paragraph 0027, as the sensing an effect of movement of the transmitting apparatus 12, for the effect of movement ].

Olson fails to teach an information transmitting part for changing a characteristic of a signal that affects the distance the information is transmitted based on the effect of movement, and for transmitting the information which includes the authentication identifier.

Siegel teaches an information transmitting part for changing a characteristic of a signal that affects the distance the information is transmitted based on the effect of movement, and for transmitting the information which includes the authentication identifier [ the emergency vehicle calculates the strength, changes a characteristic of a signal, and the approximate transmission distance of the signal based on the speed of the emergency first vehicle in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036, as the changing a characteristic of a signal that affects the distance the information is transmitted based on the movement; the emergency vehicle for transmitting uniquely identified individual signal stamp in abstract, paragraph 0012, for the authentication identifier], in order to improve the signal transmission based on the transmitting distance, by varying the transmission distance & signal strength. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's transmission distance & calculated signal strength, in order to improve the signal transmission based on the transmitting distance, by varying the transmission distance & signal strength.

Olson teaches an operation apparatus [ home electronic device 18 in Fig. 2] including an information reception part [ antenna 28 of home electronic system 18] for receiving information [ 18 receives control data from 54 of 12, paragraph 0028], which includes the authentication identifier from the information transmitting apparatus [ the transmitted control data from 12 is a fixed code, rolling code or other cryptographically encoded control code in

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paragraph 0028, as the authentication identifier; further the wireless controlling system 12, Fig. 2, is for security gate control system, home security system, garage door opener, paragraph 0024. It is obvious that the wireless control 12 has the authentication identifier for identifying itself as the information transmitting apparatus, due to the security ],

Olson, Siegel teaches an authentication part for carrying authentication based on the received information which includes the authentication identifier; and an operation part for carrying out a predetermined action when the authentication part issues a permission of authentication.

Fitzgibbon teaches an authentication part [ 150 ] for carrying out authentication based on the received information which includes the authentication identifier [ control circuit 150 authenticates users with received identifier, paragraph 0041-0042 & receiver 146 in paragraph 0040]; and an operation part for carrying out a predetermined action when the authentication part issues a permission of authentication [ open, close, the garage door, paragraph 0042], to verify the authorized user for using the door control system. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson, Siegel with Fitzgibbon' authenticating user, to verify the authorized user for using the door control system.

**For claim 11**, Olson teaches the information transmitting apparatus [Fig. 2], wherein the information transmission part divides the effect of movement into a plurality of ranks [control 30 of the transmission part divides the mobile condition into plurality of ranks, headings & distances in Fig. 5, paragraph 0034].

Olson fails to teach the predetermined power according to each one of the ranks.

Siegel teaches the transmits the stored information by a predetermined power according to each one of the ranks [ the calculated strength of the transmission signal and the



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transmission distance, based on the speed of the emergency vehicle, paragraph 0014, 0032; the varying transmission distance in paragraph 0036 as the rank; the calculated strength is the predetermined power], for providing the signal strength for the best transmission distance based on the vehicle speed. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson with Siegel's calculated strength, in order to provide the signal strength for the best transmission distance.

6. Claim 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Olson in view of Siegel, Fitzgibbon, as applied to claim 9 above, and further in view of Westerlage-'481 A1 and Strierner-'814 A1.

**For claim 10**, Olson teaches the information processing system [ Fig. 2], wherein the effect of movement is at least one effect of movement selected from the group [ the compare/identify, select, the heading, distance in Fig. 5 & the selecting proximity for transmitting in paragraph 0034-0038 ] consisting of a moving speed [ the detected different vehicle velocity for distance, paragraph 0027], a traveling distance [calculate the traveled distance, 0027], and

a traveling route of the information transmitting apparatus [ paragraph 0033], wherein the sensing part [ 52 & subroutine, step 230, Fig. 7-8] senses the effect of movement [52 detecting the speed in paragraph 0027; the sensing heading & distance, paragraph 0036, in Fig. 5, paragraph 0034].

Olson teaches the detecting of the vehicle speed [ paragraph 0027]. Olson, Siegel, Fitzgibbon fail to teach the moving acceleration.

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Westerlage teaches the moving acceleration [ detecting the acceleration of mobile 22 in vehicle 20 for current position information in col. 4, lines 21-31 & transmitting vehicle information, traveled distance, to remote location, col. 4, lines 44-67; 22, Fig. 5-6], for determining of the mobile vehicle current position. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to upgrade Olson, Siegel, Fitzgibbon with Westerlage's acceleration information, in order to determine the mobile vehicle current position.

Olson, Siegel, Fitzgibbon & Westerlage fail to teach the information transmission part is a communication means in accordance with a Bluetooth standard.

Strierner teaches the information transmission part is a communication means in accordance with a Bluetooth standard [ the transmitter of the UPS vehicle using Bluetooth standard for communicating with a wireless device inside customer house for confirming of the product delivery, when in range of physical location of customer, confirming customized delivery [paragraph 0045-0046]; confirming required action according to received message [ paragraph 0042; controlling the print action by mobile phone when printer is in range in paragraph 0023]. Therefore, It would have been obvious to one of ordinary skill in the art at the time the invention was made to Olson, Siegel, Fitzgibbon, Westerlage with Strierner's transmitter using Bluetooth standard, in order to confirm the required action according to the received message.

### **Response to Arguments**

7. Applicant's arguments with respect to claims 1-15 have been considered but are moot in view of the new ground(s) of rejection.

Regarding applicant amendment based on the no teachings from cited references [ pages 7-10 of applicant's amendment received on 2/16/2007], for the features:

an information storage part for storing an authentication identifier which identifies the information transmitting apparatus; an information transmission part for changing a characteristic of a signal that affects the distance the information is transmitted based on the condition effect of movement, and for transmitting the information which includes the authentication identifier.

Olson-'594 A1 teaches an information storage part for storing an authentication identifier which identifies the information transmitting apparatus [ storage part for storing information [ the memory stored with control data message configured to wirelessly control a plurality of home electronic systems, paragraph 0009],

which includes an authentication identifier which identifies the information transmitting apparatus [ the transmitted control data from 12 is a fixed code, rolling code or other cryptographically encoded control code in paragraph 0028, as the authentication identifier; further the wireless controlling system 12, Fig. 2, is for security gate control system, home security system, garage door opener, paragraph 0024. It is obvious that the wireless control 12 has the authentication identifier for identifying itself as the information transmitting apparatus, due to the security],

Siegel-'056 A1 teaches an information transmission part for changing a characteristic of a signal that affects the distance the information is transmitted based on the condition effect of movement, and for transmitting the information which includes the authentication identifier [ the emergency vehicle calculates the strength, changes a characteristic of a signal, and calculates the approximate transmission distance of the signal based on the speed of the emergency first vehicle, in paragraph 0014 & 5<sup>th</sup> step from the top first step in Fig. 1; the distance the signal is transmitted can be adjusted at the transmitter, for the best transmission distance, in paragraph 0036, as the changing a characteristic of a signal that

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affects the distance the information is transmitted based on the movement; the emergency vehicle for transmitting uniquely identified individual signal stamp in abstract, paragraph 0012, for the authentication identifier ].

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

#### **Conclusion**

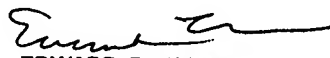
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Chow whose telephone number is (571) 272-7889. The examiner can normally be reached on 8:00am-5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public

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April 19, 2007.

  
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